

EXHIBIT B

1 **BURRIS, NISENBAUM, CURRY & LACY LLP**
2 JOHN L. BURRIS, Esq. (SBN 69888)
3 Airport Corporate Centre
4 7677 Oakport Street, Suite 1120
5 Oakland, California 94621
6 Telephone: (510) 839-5200
7 Facsimile: (510) 839-3882
8 john.burris@johnburrislaw.com

9 **BURRIS, NISENBAUM, CURRY & LACY LLP**
10 DEWITT M. LACY, Esq. (SBN 258789)
11 JULIA N. QUESADA, Esq. (SBN 337872)
12 LENA P. ANDREWS, Esq. (SBN 342471)
13 9701 Wilshire Blvd., Suite 1000
14 Beverly Hills, California 90212
15 Telephone: (310) 601-7070
16 Facsimile: (510) 839-3882
dewitt@bncllaw.com
julia.quesada@bncllaw.com
lena.andrews@bncllaw.com

17 Attorneys for Plaintiff
18 Antonio Lopez, Johanna Lopez, & S.L. by and through his guardian ad litem
19 Rocio Flores

20 **UNITED STATE DISTRICT COURT**
21 **CENTRAL DISTRICT OF CALIFORNIA**

22 ANTONIO LOPEZ, individually;
23 JOHANNA LOPEZ, individually;
24 M.R., by and through his guardian ad
25 litem, April Rodriguez, individually
and as successor in interest to
26 Brandon Lopez; B.L. and J.L., by and
through their guardian ad litem
27 Rachel Perez, individually and as
successors in interest to Brandon
Lopez; S.L., by and through his
guardian ad litem, Rocio Flores,
individually and as successor in
interest to Brandon Lopez,

28 Plaintiff,

29 VS.

Case No.: 8:22-cv-01351-JVS-ADS

(*Honorable James V. Selna; Magistrate
Judge Autumn D. Spaeth*)

30 **PLAINTIFF ANTONIO LOPEZ'S
31 REQUEST FOR PRODUCTION OF
32 DOCUMENTS TO DEFENDANT
33 CITY OF ANAHEIM, SET ONE**

1 CITY OF ANAHEIM, a municipal
2 corporation; CITY OF SANTA
3 ANA, a municipal corporation;
4 DAVID VALENTIN, individually
5 and in his official capacity as the
6 Chief of Police for the CITY OF
7 SANTA ANA Police Department;
8 JORGE CISNEROS, individually
9 and in his official capacity as the
10 Chief of Police for the CITY OF
11 ANAHEIM Police Department;
12 PAUL DELGADO, individually and
13 in his official capacity as an officer
14 for the CITY OF ANAHEIM Police
15 Department; BRETT HEITMAN;
16 KENNETH WEBER, individually
17 and in his official capacity as an
18 officer for the CITY OF ANAHEIM
19 Police Department; BRETT
20 HEITMAN; CAITLIN PANOV,
21 individually and in her official
22 capacity as an officer for the CITY
23 OF ANAHEIM Police Department;
24 BRETT HEITMAN, individually and
25 in his official capacity as an officer
26 for the CITY OF ANAHEIM Police
27 Department; BRETT HEITMAN;
DOES 1-10, individually and in their
official capacity as law enforcement
officers for the CITY OF ANAHEIM
Police Department and CITY OF
SANTA ANA Police Department,

Defendants.

REQUESTING PARTY: Plaintiff ANTONIO LOPEZ
RESPONDING PARTY: Defendant CITY OF ANAHEIM
SET NO.: ONE

GENERAL INSTRUCTIONS TO RESPONDING PARTY

In accordance with Federal Rules of Civil Procedure 26 and 34, Plaintiff requests that the responding party answers under oath the following requests for the production of documents within thirty days of service hereof. These requests are directed to Defendant CITY OF ANAHEIM. In answering these requests, you are

1 required to furnish such information as is available to you, including information in
2 the possession of your attorneys and investigators working with your attorneys.

3 ***The following Definitions and Instructions apply throughout this Request
4 for Production, unless the context clearly indicates otherwise:***

5 A. This request requires that you produce all writings responsive to any of
6 the following numbered requests, which are in your possession or control or subject
7 to your control, wherever they may be located. The writings which you must identify
8 and produce include not only writings which you presently possess, but also writings
9 which are in the possession or control of your attorneys, accountants, bookkeepers,
10 employees, representatives or anyone else acting on your behalf.

11 B. You are requested to produce all writings which are responsive to any
12 of the following numbered requests by delivering copies of all such writings for
13 inspection and photocopying at the BURRIS, NISENBAUM, CURRY & LACY,
14 9701 Wilshire Boulevard, Suite 1000, Beverly Hills, CA, 90212 within thirty (30)
15 days of the date indicated on the proof of service; thirty-three (33) if served by mail.

16 C. All writings which, are responsive in whole or in part to any of the
17 following numbered requests, shall be produced in full, without abridgement,
18 abbreviation, or expurgation of any sort. If any such writings cannot be produced in
19 full, produce the writing to the extent possible and indicate in your written response
20 what portion of the document is not produced and why it could not be produced.

21 D. The term "writing" as used in this request for identification and
22 production is a broadly inclusive term referring to any and all written or other
23 graphic material, however produced or reproduced, of every kind and description
24 and to everything upon which sounds, words, symbols, or pictures are recorded or
25 depicted by magnetic or electrical impulse, photography, or otherwise. The term
26 "writing" includes, by way of example and not limitation, the following and anything
27 similar to any of the following:

- 1 1. Letters, telegrams, telexes, cables, TXWs, memoranda, interoffice
2 correspondence and other forms of correspondence and written
3 communication;
- 4 2. Agreements, contracts, policies, handbooks, practice guidelines,
5 reports, studies, records, books, journals, papers, statements,
6 pamphlets, circulars, publications, stenographic notebooks, files and
7 their contents, file folders, file covers, file jackets and notes;
- 8 3. Summaries, abstracts indexes, tabulations, graphs, charts, lists and
9 inventories;
- 10 4. Calendars, desk calendars, appointment books, schedules, logs,
11 telephone messages, diaries, time sheets, minutes of meetings, and
12 transcripts;
- 13 5. Financial statements, checks, invoices and accounting records, and
14 books;
- 15 6. Pleadings, deposition transcripts, trial transcripts, interrogatories,
16 answers to interrogatories, affidavits, declarations, papers filed or
17 lodged with courts, and papers filed with or sent to administrative
18 agencies;
- 19 7. Tape recordings, sound reproductions, objects, photographs, motion
20 pictures, microfilm, computer data stored on magnetic tape, computer
21 printouts, data processing cards or tapes, and computer disks or
22 diskettes.

23 E. You are required to produce not only the original or an exact copy of
24 the original of all writings responsive to any of the following numbered requests, but
25 also all copies of such writings which bear any notes or markings not found on the
26 originals and all preliminary, intermediate, final, and revised drafts of such writings.

27 F. If any of these requests cannot be answered in full, please answer to the

1 extent possible, specifying the reasons for your inability to provide responses to the
2 remainder of the request and stating whatever information, knowledge or belief you
3 do have concerning the unanswered portion.

4 G. It is not intended that this request require production of any writings,
5 which are privileged. If you are not producing any writing responsive to any of the
6 numbered requests below on the basis of a claimed privilege, or for any other reason,
7 state the following information:

- 8 1. Describe the writing with specificity;
- 9 2. The nature of the privilege or rule of law relied upon and the facts
10 supporting your position with respect thereto;
- 11 3. State the names and capacities of all persons who participated in the
12 preparation of the writing; and
- 13 4. State the names and capacities of all persons to whom the document
14 was circulated or its contents disclosed, the location such disclosure
15 took place, who was present at such disclosure, the general subject
16 matter of the disclosure without violating the privilege asserted, and the
17 means of such disclosure.

18 **DEFINITIONS**

19 A. The term “ALL” shall mean any and all.
20 B. “YOU” and “YOUR” mean the CITY OF ANAHEIM, and anyone
21 acting on YOUR or its behalf, including agents, employees, and contractors.

22 C. The term “PLAINTIFF” refers to the individual PLAINTIFF in this
23 action, ANTONIO LOPEZ.

24 D. The term “INCIDENT” refers to the events of September 28, 2021,
25 which gives rise to the instant litigation, as outlined in Plaintiff’s operative
26 Complaint.

27 E. The term “DOCUMENT” as defined by the Federal Rules of Civil

1 Procedure Rule 34(a)(1)(4), means any designated documents or electronically
2 stored information---including writings, drawings, graphs, charts, photographs,
3 sound recordings, images, and other data or data compilations---stored in any
4 medium from which information can be obtained, or any designated tangible things.

5 F. The term “PERSON” means ALL natural persons, partnerships,
6 consortiums, joint ventures, and every other form of legally recognized entity,
7 including corporations and governmental entities.

8 G. The term “RECORDING” includes any method of memorializing an
9 occurrence by way of audio, video and/or written memos.

10 H. “PERTAINING TO” and “RELATING” mean evidencing,
11 memorializing, referring, constituting, containing, discussing, describing,
12 embodying, reflecting, identifying, mentioning, stating, or otherwise relating to in
13 any way, in whole or in part, the subject matter referred to in a particular request.

14

15 **REQUESTS FOR PRODUCTION**

16 **REQUEST NO. 1.:**

17 Produce a complete copy of ALL police reports pertaining to the arrest and/or
18 detention of PLAINTIFF Antonio Lopez during the INCIDENT.

19

20 **REQUEST NO. 2.:**

21 Produce a complete copy of ALL video footage, including but not limited to
22 body worn camera footage, depicting the arrest and/or detention of PLAINTIFF
23 Antonio Lopez during the INCIDENT.

24

25 **REQUEST NO. 3.:**

26 Produce a complete copy of ALL photographs depicting the arrest and/or
27 detention of PLAINTIFF Antonio Lopez during the INCIDENT.

1 **REQUEST NO. 4.:**

2 Produce a complete copy of ALL statements and/or interviews of civilian
3 witnesses PERTAINING TO the arrest and/or detention of PLAINTIFF Antonio
4 Lopez during the INCIDENT.

5
6 **REQUEST NO. 5.:**

7 Produce a complete copy of ALL statements and/or interviews of civilian
8 witnesses PERTAINING TO the INCIDENT.

9
10 **REQUEST NO. 6.:**

11 Produce a complete copy of ALL statements and/or interviews of law
12 enforcement personnel PERTAINING TO the arrest and/or detention of
13 PLAINTIFF Antonio Lopez during the INCIDENT.

14
15 **REQUEST NO. 7.:**

16 Produce a complete copy of ALL statements and/or interviews of law
17 enforcement personnel PERTAINING TO the INCIDENT.

18
19 **REQUEST NO. 8.:**

20 Produce a complete copy of ALL statements and/or interviews by Defendants
21 Paul Delgado, Brett Heitmann, Caitlin Panov, and Kenneth Weber PERTAINING
22 TO the INCIDENT.

23
24 **REQUEST NO. 9.:**

25 Produce a complete copy of ALL video footage taken by journalists on scene
26 during the INCIDENT.

1 **REQUEST NO. 10.:**

2 Produce a complete copy of ALL documents pertaining to ALL extraction
3 and/or analysis of DECEDENT's cellphone.

5 **REQUEST NO. 11.:**

6 Produce a complete copy of the note addressed to DECEDENT's children
7 found in the car DECEDENT was in during the INCIDENT.

9 Dated: November 17, 2023

BURRIS, NISENBAUM, CURRY & LACY LLP

10
11 By: /s/ Lena Andrews
12 DeWITT M. LACY
13 JOHN L. BURRIS
14 LENA P. ANDREWS
15 JULIA N. QUESADA
16 Attorneys for Plaintiff,
17 Antonio Lopez, Johanna Lopez, & S.L.
18 by and through his guardian ad litem
19 Rocio Flores

1 **CERTIFICATE OF SERVICE**

2 *Lopez et al v City of Anaheim et al*

3 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES:**

4 I am a citizen of the United States and employed in the county aforesaid; I am over the age
5 of eighteen years, and not a party to the within action; My business address is 9701 Wilshire Ave,
6 STE 1000, Beverly Hills, CA 90212. On the date below, I served on parties named in the Service
7 List attached hereto the following documents in the manner checked below:

8 **PLAINTIFF ANTONIO LOPEZ'S REQUEST FOR PRODUCTION OF
9 DOCUMENTS TO DEFENDANT CITY OF ANAHEIM, SET ONE**

- 10 **(VIA MAIL -- CCP §§ 1013(a), 2015.5)** By placing a true copy thereof enclosed in a sealed envelope(s), addressed as
11 above, and placing each for collection and mailing on that date following ordinary business practices. I am readily
12 familiar with my firm's business practice of collection and processing of correspondence for mailing with the U.S. Postal
13 Service and correspondence placed for collection and mailing would be deposited in the U.S. Postal Service at Oakland,
14 California, with postage thereon fully prepaid, that same day in the ordinary course of business.
- 15 **(VIA PERSONAL DELIVERY -- CCP §§ 1011, 2015.5)** By placing a true copy thereof enclosed in a sealed envelope(s), addressed as above, and causing each envelope(s) to be hand delivered on that day by Russ Taylor, in the
16 ordinary course of my firm's business practice.
- 17 **VIA E-MAIL or ELECTRONIC TRANSMISSION -- CCP §§ 1013(e), 2015.5, CRC 2008** Based on a court order
18 or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document to be sent to
19 the persons at the e-mail address(es) or the facsimile number listed above. I am readily familiar with my firm's business
20 practice of collection and processing of correspondence via facsimile transmission(s) and any such correspondence would
21 be transmitted in the ordinary course of business. The facsimile transmission(s) was reported as complete and without
22 error, and a copy of the transmission report is attached.
- 23 **(VIA OVERNIGHT MAIL/COURIER -- CCP §§ 1013(c), 2015.5)** By placing a true copy thereof enclosed in a sealed
24 envelope(s), addressed as above, and placing each for collection by overnight mail service or overnight courier service.
25 I am familiar with my firm's business practice of collection and processing of correspondence for overnight mail or
26 overnight courier service, and my correspondence placed for collection for overnight delivery would, in the ordinary
27 course of business, be delivered to an authorized courier or driver authorized by the overnight mail carrier to receive
documents, with delivery fees paid or provided for, that same day, for delivery on the following business day.

I declare that I am a member of the bar of this court. Executed on **November 17, 2023**, at Beverly
Hills, California.

21 //s// Lena P. Andrews

22 Lena P. Andrews, Esq.

SERVICE LIST

1 Gregg M. Audet
2 Anaheim City Attorneys Office
3 200 South Anaheim Boulevard Suite 356
Anaheim, CA 92805
4 gaudet@anaheim.net

ATTORNEYS FOR DEFENDANTS:
CITY OF ANAHEIM, JORGE CISNEROS,
PAUL DELGADO, BRETT HEITMAN,
CAITLIN PANOV, KENNETH WEBER

5 Anthony M. Sain
6 Dana Alden Fox
7 Tori Lyn Noelani Bakken
8 Abigail McLaughlin
Lewis Brisbois Bisgaard and Smith LLP
9 633 West 5th Street, Suite 4000
Los Angeles, CA 90071
tony.sain@lewisbrisbois.com
dana.fox@lewisbrisbois.com
tori.bakken@lewisbrisbois.com
11 Abigail.McLaughlin@lewisbrisbois.com

ATTORNEYS FOR DEFENDANTS:
CITY OF ANAHEIM, JORGE CISNEROS,
PAUL DELGADO, BRETT HEITMAN,
CAITLIN PANOV, KENNETH WEBER

12 CC (VIA EMAIL ONLY):
13 Christopher D Lee
14 Samantha E Dorey
15 Seymour B Everett, III
16 Everett Dorey LLP
17 18300 Von Karman Avenue Suite 900
Irvine, CA 92612
18 clee@everettdorey.com
sdorey@everettdorey.com
severett@everettdorey.com

ATTORNEYS FOR DEFENDANTS:
CITY OF SANTA ANA, DAVID
VALENTIN

19 CC (VIA EMAIL ONLY):
20 Dale K Galipo
21 Renee V Masongsong
22 Law Offices of Dale Galipo
23 21800 Burbank Boulevard Suite 310
Woodland Hills, CA 91367
dalekgalipo@yahoo.com
rvalentine@galipolaw.com

ATTORNEYS FOR PLAINTIFFS:
M.R., by and through his guardian ad litem,
April Rodriguez

24 CC (VIA EMAIL ONLY):
25 Angel Carrazco
26 Guizar Henderson and Carrazco LLP
18301 Irvine Boulevard
Tustin, CA 92780
27 angel@carrazcolawapc.com

ATTORNEYS FOR PLAINTIFFS:
B.L. and J.L., by and through their guardian
ad litem Rachel Perez

BURRIS, NISENBAUM, CURRY & LACY LLP

9701 Wilshire Boulevard, Suite 1000
Beverly Hills, California 90212

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27